IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO.173 OF 2006
IN
PETITION NO.28 OF 2002

Re: Mrs. Bhanu Chandramohan Nandani .. Insolvent.
Ex-parte:
Hiralal Dhanomal Lalwani .. Petitioning Creditor.
And
Savita Jagtiani and Ramesh Jagtiani ..Supporting Creditors.

...

Ms. K.S. Lalwani for the Supporting Creditors.
Insolvent present in person.
Mr. Y.C. Parikh, Official Assignee present.

...

CORAM: DR. D.Y. CHANDRACHUD, J.

21st November, 2006.

P.C. :

The Petitioning Creditor has expired. An order of adjudication has already been passed on 3rd June, 2003 by which the Debtor has been declared as Insolvent. The Motion has been taken out by a Supporting Creditor in view of the fact that the original Petitioning Creditor has expired and so as to facilitate proper steps being taken in the insolvency proceedings. The Supporting Creditor is a decree holder in whose favour a decree has been passed on 19th April, 2002 by the City Civil Court in

Summary Suit 596 of 2000. Perused the affidavit in reply. There is no reason why the prayer of the Supporting Creditor should not be allowed. The Motion is accordingly made absolute in terms of prayer clause (a). The Official Assignee shall now take necessary steps in accordance with law for fixing a date for taking the inventory and for private examination of the Insolvent.